

HOUSE BILL No. 1300

DIGEST OF INTRODUCED BILL

Citations Affected: IC 22-13-2-1.5; IC 36-7-2-5.5.

Synopsis: Regulatory taking of outdoor advertiser property. Prohibits a state agency or political subdivision from requiring that a lawfully erected sign be removed or altered as a condition of issuing a permit, license, variance, or other order concerning land use development unless the sign owner is compensated in accordance with the eminent domain statute.

Effective: July 1, 2005.

Whetstone, Stevenson

January 11, 2005, read first time and referred to Committee on Local Government.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1300

A BILL FOR AN ACT to amend the Indiana Code concerning property.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 22-13-2-1.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2005]: **Sec. 1.5. A state agency or political subdivision may not**
4 **require that a lawfully erected sign be removed or altered as a**
5 **condition of issuing a:**

6 (1) permit;
7 (2) license;
8 (3) variance; or
9 (4) other order concerning land use or development;
10 **unless the owner of the sign is compensated in accordance with**
11 **IC 32-24.**

12 SECTION 2. IC 36-7-2-5.5 IS ADDED TO THE INDIANA CODE
13 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
14 1, 2005]: **Sec. 5.5. A unit may not require that a lawfully erected**
15 **sign be removed or altered as a condition of issuing a:**

16 (1) permit;
17 (2) license;



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- 1 **(3) variance; or**
- 2 **(4) other order concerning land use or development;**
- 3 **unless the owner of the sign is compensated in accordance with**
- 4 **IC 32-24.**

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